

Congress of the United States

Washington, DC 20515

February 20, 2003

The Honorable Hal Stratton
U.S. Consumer Product Safety Commission
4330 East-West Highway
Bethesda, Maryland 20814-4408

Dear Chairman Stratton:

As Members of the House of Representatives who care deeply about the safety and health of our constituents and fellow Americans, we respectfully write in support of a Petition filed by the Consumer Federation of America regarding product registration cards. The Consumer Product Safety Commission (CPSC) has a solid track record of conscientious work to the benefit of the U.S. consumer and we greatly appreciate your continued service and attention to this matter.

Over the past few years, we have become particularly concerned about recall effectiveness. Currently, only a small number of consumers find out about product recalls. The consequence of these inadequate notifications has been known to lead to harmful and fatal incidents.

It has been brought to our attention that you are also concerned with recall effectiveness and have planned to convene a public meeting on February 21, 2003 to discuss the aforementioned Petition filed by Consumer Federation of America. We would like to take this opportunity to strongly urge your forward movement in establishing a product registration card standard that would use creativity and innovation to effectively notify consumers about product recalls.

While the Consumer Product Safety Commission (CPSC) conducts approximately 300 recalls of potentially hazardous and dangerous consumer products each year, many consumers never find out about these recalls. As you are well aware, CPSC currently relies upon media outlets and retailers to communicate notification of recalls to consumers. However, CPSC has constructed research demonstrating that direct to consumer notification is one of the most effective ways to motivate consumer response to a product recall.

Traditionally, recalls have not been conducted through direct to consumer notification because manufacturers do not have contact information about the consumers who purchase their products. According to information from companies, which do maintain customer registration lists, information is known for generally less than seven percent of the total consumer products produced and distributed. Many consumers,

comprising 93% of consumer products produced and distributed, do not return purchaser identification cards because of the many requests for marketing and personal information on those cards. CPSC has found that a consumer product safety card, without marketing questions or requests for personal information that accompanied certain products would effectively increase consumer participation in recalls.

In an effort to address these problems and in order to reduce the number of deaths and injuries from consumer products, we introduced H.R. 3658, *The Product Safety Notification and Recall Effectiveness Act* in the 107th Congress on January 29, 2002. Plans finalizing the reintroduction of this bill in the new 108th Congress are presently underway.

Companies that currently maintain consumer product purchase data, such as product registration cards are able to effectively notify consumers about the product they purchased. For this reason, *The Product Safety Notification and Recall Effectiveness Act* would require the CPSC to promulgate a consumer product safety standard that compels manufacturers of juvenile products, small household appliances, and certain other consumer products to include a simplified product safety owner card at the time of original purchase by consumers, or alternatively, to develop effective electronic registration of first purchasers of such products that would enable the development of a customer database to notify consumers about recalls.

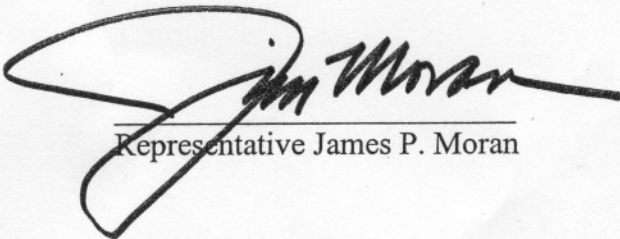
Our legislation, unlike the Petition before you as submitted by Consumer Federation of America, has defined the scope of the products to be covered by this regulation. The covered consumer products include juvenile products, small household appliances and other such products as the Commission considers appropriate for achieving the purpose of reducing the number of deaths and injuries from consumer products through improved recall effectiveness.

These products have been included for three reasons. One is that there are a large number of recalls in both of these product categories. Second is that juvenile products affect a vulnerable population that is unable to protect itself, and third, because these product categories have been associated with a number of high profile injuries and deaths. In addition to the aforementioned reasons, these products also tend to have longer use than other products. We urge you to use this as a guide in defining the scope of the products to be accompanied by product registration cards.

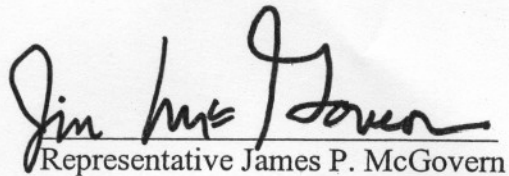
A number of components are required for the recall notification system that manufacturers would establish and maintain. The manufacturer must include the use of a product registration card, internet registration, or an alternative method specified by CPSC to collect information about purchasers of their product. The alternative method specified in the standard may include use of on-line product registration and consumer notification, or other electronic and design strategies to notify consumers about product recalls. In addition, the manufacturer must keep this collected information in a database for the sole purpose of notifying such consumers of recalls of those products.

We feel that *The Product Safety Notification and Recall Effectiveness Act* is essential to protecting the public from the current recall notification system that is in dire need of great improvement. CPSC's own research indicates that the best, most efficient way to alert consumers of product recalls that can prevent injury and death, is for manufacturers of consumer products to directly and efficiently notify consumers of product recalls. We look forward to working with you and your staff at CPSC in the implementation of a product safety standard for product registration cards and thank you again for your interest in this matter.

Yours truly,



Representative James P. Moran



Representative James P. McGovern